

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Clarkin et al.

Appln. No.: 09

910,863

Series Code ↑

Serial No. ↑

Filed: July 24, 2001

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

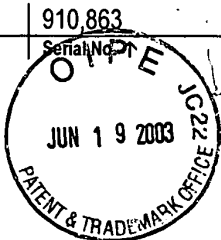
Group Art Unit 2839

Examiner: J. Nasri

Atty. Dkt. P 0278401

M#

Client Ref

Appln. Title: CONNECTOR FERRULE AND
METHOD OF SEALING

Sir:

REPLY/AMENDMENT/LETTER

Date: June 19, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C
See **Required
Separate Paper
(Pat-256)**

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	26	**minus 26	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	4	***minus 4	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)				+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: June 15, 2003	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =		+ \$110		115/215
	(2 mos)	\$410/\$205 =				116/216
	(3 mos)	\$930/\$465 =				117/217
	(4 mos)	\$1,450/\$725 =				118/218
	(5 mos)	\$1,970/\$985 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract				- \$0		
8.				Extension Fee	+ \$110	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee				+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c),				+ \$180	+ \$0	126
or if Rule 97(d) Request				+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r)				+ \$750/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)				x \$750/375 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)				+ \$750/375	+ \$0	1179/1279
14. Petition fee for					+ \$0	

15.

TOTAL FEE = \$110

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

PLEASE CHARGE
OUR DEP. ACCT

06/20/2003 GWORDF1 00000024 033975 09910863

01 FC:1251

110.00 DA

Our Deposit Account No. 03-3975)

(Our Order No. 081295 0278401

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robert C. Perez

Reg. No. 39,328

P.O. Box 10500

McLean, VA 22102

Tel: (703) 905-2000

Sig:

Fax: (703) 905-2500

Tel: (703) 905-2159

Atty/Sec: RP/JMS

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



#4/Election
Shawn
7/3/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No.: 4056

CLARKIN et al.

Group Art Unit: 2874

Appln. No.: 09/910,863

Examiner: Not Assigned

Filed: July 24, 2001

Title: CONNECTOR FERRULE AND SEALING

June 19, 2003

* * * * *

REPLY TO ELECTION OF SPECIES

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 23 2003
TECHNOLOGY CENTER 2800

Sir:

In reply to the Election of Species Requirement dated May 15, 2003, Applicants hereby provisionally elect Group II, Figure 5. This election is made with traverse. It is respectfully submitted that claims 1-4, 10, and 12-16, at least, read on the elected group. It is further respectfully submitted that claims 1 and 13, at least, are generic.

The Election of Species indicated that a telephone call was made to the undersigned on May 13, 2003 to request an oral election, but that the telephone call did not result in an election being made. The undersigned respectfully submits that the Examiner merely informed the undersigned that the Election of Species Requirement dated May 15, 2003 was going to be issued and did not give the undersigned an opportunity to make an election during the telephone call.

It is respectfully submitted that the Election of Species Requirement is improper as it fails to identify each drawing figure with a particular species. MPEP §806.04(e) states that "Species are always the specifically different embodiments." For example, the Election of Species Requirement identifies Group I as Figure 4, Group II as Figure 5, Group III as Figure 5b and Group IV as Figure 6, but fails to indicate to which group Figures 1-3 belong. As the Election of Species Requirement fails to include Figures 1-3 in any of the Groups I-IV, it is unclear if Figures 1-3 are grouped together with other figures, as set forth in MPEP §806.04(h), or if Figures 1-3 are considered to be a separate group unto themselves.

To the extent Figures 1-3 are considered to be a separate group, Applicant elects that group and submits that at least claims 1-9, 13-16 and 25-26 read on those figures.


It is further respectfully submitted that the subject matter of Groups I-IV is sufficiently related that a thorough search and examination of the any one group would necessarily encompass the search and examination of the remaining groups. Accordingly, it is respectfully submitted that the search and examination of the entire application can be conducted without serious burden and that the Election of Species Requirement fails to satisfy the criteria of MPEP §803.

Finally it is respectfully submitted that the Election of Species Requirement should be withdrawn to prevent duplicative examination by the Patent and Trademark Office and unnecessary expense to the Applicants.

Reconsideration and withdrawal of the Election of Species Requirement are respectfully requested.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 
Robert C. Perez
Reg. No.: 39,328
Tel. No.: (703) 905-2159
Fax No.: (703) 905-2500

RCP/JMS
P.O. Box 10500
McLean, VA 22102
(703) 905-2000